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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/785,398	02/25/2004	Nigel M. Goble	2558-71

23117
 NIXON & VANDERHYE, PC
 1100 N GLEBE ROAD
 8TH FLOOR
 ARLINGTON, VA 22201-4714

CONFIRMATION NO. 9817

FORMALITIES LETTER



OC000000013989743

Date Mailed: 10/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/03/2005 JBALINAN 00000144 10785398

FILED UNDER 37 CFR 1.53(b)

01 FC:2202
 02 FC:1999

775.00 OP
 17.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$792** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1712** for a Large Entity

- **\$790** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

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01 FC:1001

790.00 OP

02 FC:1051

130.00 OP

- Total additional claim fee(s) for this application is \$792

- \$792 for 44 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Brian Nguyen

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

GOBLE, Nigel M.

Serial No. 10/785,398

Filed: February 25, 2004

For: AN ELECTROSURGICAL SYSTEM AND METHOD

Attention: Application Branch

Atty. Dkt. 2558-71

Date: December 30, 2004

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:☒ **Correspondence Address Indication Form Attached.**☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR☐ Signed Declaration plus attached copy of originally filed specification/drawings.☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.☒ Record the attached assignment to Gyrus Medical Limited, Cardiff, United Kingdom☐ Attached is a Power of Attorney.☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:**Application Number**

9900964.9

Country

U.K.

Day/Month/Year Filed

15 January 1999

respectively.

☐ Certified copy(ies) of foreign application(s) is/are attached.☒ Certified copy(ies) filed on May 30, 2000 in prior application no. 09/484,225, filed January 18, 2000.☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.☐ Please enter the attached preliminary amendment prior to calculation of filing fee.☐ Also attached: ☐ **Information Disclosure Statement;** ☐ **Nucleotide and/or Amino Acid Sequence Submission;** ☐ **Other:****Fees due are calculated below:**

Basic filing fee \$ 790.00

Search Fee (\$500.00) \$

Examination Fee (\$200.00) \$

Application Size Fee (\$250.00 for each add'l 50 sheets that exceeds 100 sheets) \$

Total sheets: -100 = 0

Total Effective claims 64 - 20 = 44 x \$ 18.00 \$ 792.00

Independent claims 3 - 3 = 0 x \$ 88.00 \$ 0.00

If any proper multiple dependent claims now added for first time, add \$360.00 (ignore improper) \$

FILING FEE \$ 1,582.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00 1 month; \$450.00/2 months; \$1020.00/3 months; \$1590.00/4 months) \$ 120.00

Surcharge (\$130.00) if Declaration or filing fee first now submitted \$ 130.00

English translation of specification and claims (\$130.00) \$

FIRST SUBTOTAL \$

If "small entity," enter half (1/2) of subtotal and subtract 65.00 -\$ 0.00

SECOND SUBTOTAL \$ 1,832.00

Assignment Recording Fee (\$40.00) \$ 40.00

TOTAL FEE DUE \$ 1,872.00☒ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor

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Facsimile: (703) 816-4100

RAM:drt

NIXON & VANDERHYE P.C.

By Atty: Robert A. Molan, Reg. No. 29,834

Signature: Robert A. Molan

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